

**WAIVER OF SERVICE OF SUMMONS**

TO: Michael R. Gilman, Esq

I acknowledge receipt of your request that I waive service of a summons in the action of American Genius & Co., Inc., v. World Wide Dreams LLC and Norman Abramson, which is case number 1:07-cv-6980-SAS in the United States District Court for the Southern District of New York. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the stamped envelope signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the matter provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after August 7, 2007, or within 90 days after that date if the request was sent outside the United States.

August 7, 2007  
Date

Signature

Printed/typed name: Jonathan Faust, Esq.

{ as Attorney }

{ of Defendants World Wide Dreams and Norman Abramson }

**DUTY TO AVOID UNNECESSARY COSTS OF SERVICE OF SUMMONS**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant who, after being notified of an action and asked to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive services that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or even its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against the defendant. By waiving service, a defendant is allowed more time to answer than if the summons has been actually served with the request for waiver of service was received.

Effective A/o 12/1/93 in compliance with  
Federal Rules of Civil Procedure 4  
SDNY Web 4/99

# United States District Court

Southern

DISTRICT OF

New York

American Genius & Co., Inc.

Plaintiff,

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

Worldwide Dreams LLC and Norman Abramson

Defendants

07 CV 6980

TO: (Name and address of defendant)

JUDGE SCHEINDLIN

Worldwide Dreams LLC  
350 Fifth Avenue  
New York, NY 10118

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Michael R. Gilman, Esq. (MG 7608)  
KAPLAN GILMAN GIBSON & DERNIER LLP  
900 Route 9 North  
Woodbridge, NJ 07095

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

DATE

(BY) DEPUTY CLERK

# United States District Court

Southern

DISTRICT OF

New York

American Genius & Co., Inc.

Plaintiff,

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

Worldwide Dreams LLC and Norman Abramson

07 CV 6980

Defendants

JUDGE SCHEINDLIN

TO: (Name and address of defendant)

Norman Abramson  
350 Fifth Avenue  
New York, NY 10118

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Michael R. Gilman, Esq. (MG 7608)  
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**J. MICHAEL McMAHON**

CLERK

DATE

(BY) DEPUTY CLERK